

REMARKS/ARGUMENTS

In the Claims:

Claims 1-12 remain pending in the present application.

Rejection of Claims 1-4 and 7 Under 35 U.S.C. § 102(b)

The Examiner rejected claims 1-4 and 7 under 35 U.S.C. § 102(b) as being anticipated by Frankfurt (US 5,941,034). As Applicant does not believe Frankfurt to teach the subject matter of claims 1-4 and 7, the rejection is respectfully traversed.

Frankfurt teaches an apartment building in which a two-story apartment is overlaid on top of a first floor apartment located adjacent a breezeway. Among other things, there is no mention made in Frankfurt that the apartment building is built upon two property lots. One of the unique aspects of the present invention is the fact that the housing unit is built upon two property lots. This allows the lot and the home to be deeded to two individual owners. Currently, a multi-unit building is built upon one larger than normal lot but, for example, a five unit apartment building is not built upon five lots and deeded to five different owners. Frankfurt does not teach or suggest having multiple lots upon which the multi-unit is built and for that reason Frankfurt cannot be used to reject the present invention. Figures 1-4 do not teach or suggest two property lots.

Rejection of Claims 1-12 Under 35 U.S.C. § 102(b)

The Examiner rejected claims 1-12 under 35 U.S.C. § 102(b) as being anticipated by Jenn (US 4,685,260). As Applicant does not believe Jenn to teach the subject matter of claims 1-12, the rejection is respectfully traversed.

Jenn teaches modular multiple-unit housing that is constructed in a quadrangle. Among other distinguishable differences Jenn fails to teach or suggest two property lots, which is claimed in the subject inventions' two independent claims, claims 1 and 9 (and thus from all claims that depend upon claims 1 and 9), and frontal access doors that face the same direction as is claimed in the present invention in claim 8. The frontal doors of the four units in Jenn face north, south, east and west. There are no two frontal doors disclosed in Jenn that face in the same direction.

A single prior art reference anticipates a claimed invention only if it discloses each and every claim element. Neither Frankfurt nor Jenn disclose each and every claim element of the present invention. Neither does Frankfurt or Jenn teach or suggest building a multi-unit housing structure upon more than one lot.

CONCLUSION

Applicant has distinguished the subject matter of the present invention over the teachings of the references cited as prior art by the Examiner.

Therefore, Applicant respectfully submits that the present application is now in condition for allowance, and entry of the present amendment and allowance of the application as amended is earnestly requested. Telephone inquiry to the undersigned

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Inventor: Robert J. Apel
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in order to clarify or otherwise expedite prosecution of the present application is respectfully encouraged.

Respectfully submitted,

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